

REMARKS

In the official action of June 20, 2005, the Examiner rejected the pending claims pursuant to 35 U.S.C. § 103 in view of U.S. Patent No. 5,612,927 ("Morrison") and U.S. Patent No. 5,587,854 ("Sato").

Applicant previously amended claims 1 and 14 to clarify that the locking member is movably mounted in the case and the driving unit is in the case when the locking member is in both locked and unlocked positions. Claims 8 – 13 were previously cancelled.

In the official action of June 20, 2005, the Examiner indicated that Morrison lacked an elastic supporting member and a locking member. The Examiner then stated that Sato disclosed these elements. Applicant respectfully traverses the Examiner's application of Sato to the claims as previously amended and presents new claims, which are also patentable over the Morrison and Sato references.

Claims 1 and 14, as previously amended and presently submitted, require that "the locking member is in the locked position and unlocked in the case when the locking member is in the unlocked position." For the purposes of his rejection, the Examiner considered the inner case member 4 of Sato to be the locking member. In Sato, a pair of first locking mechanisms 5 are affixed to the disk storage unit 1.

As shown in Figure 2A and discussed in col. 5, lines 31-33 in Sato, the locking mechanisms 5 remain locked when the disk storage unit 1 is within the outer case member 3. Even when removed from the outer case member 3, as shown in Figure 3, the locking mechanisms 5 remain locked.

The inner case member 4 is affixed to the disk storage unit 1 by the locking mechanisms 5 until the disk storage unit 1 is outside of the outer case member 3 and completely inside computer slot 55. This is shown in Figures 4A, 4B, and 7A and 7B and is discussed in col. 5, lines 55 – 65 and col. 6, lines 25 – 45.

Applicant has also submitted new claims 24 – 30, including new independent claim 24. New independent claim 24 addresses a manner of incorporating elastic supporting members not found in the Morrison and Sato references.

SUMMARY

Applicant respectfully requests the Examiner grant early allowance of this application. The Examiner is invited to contact the undersigned attorney for the Applicants via telephone if such communication would expedite this application.

Respectfully submitted,



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